



May 25, 2010

City Council Committee Report

To: Mayor & Council

Fr: Richard Perchuk, Manager of Operations

Re: Environmental Policy Amendment

Recommendation

That Council hereby approves a revised City of Kenora Environmental Policy – Policy #OP-3-1; and further,

That Council give three readings to a by-law to amend the Comprehensive Policy Manual for this purpose.

Background:

In 2008 Council adopted the Environmental Policy OP-3-1 in recognition of the importance of the natural environment to the citizens of the City of Kenora. The Environmental Advisory Committee (EA) was established in 2009. The Terms of Reference, adopted by By-Law 16-2009, gives the Committee the authority to provide recommendations to Council regarding potential improvements to the policy etc.

At a May Standing Committee Meeting the EA Committee proposed the following changes to the policy: 1) correct grammar 2) use more action oriented / affirmative wording and 3) change the order of items to reflect priorities. Council reviewed the changes and recommended that a legal opinion be sought.

Legal Counsel suggests that Council should not be concerned with the EA Committee's use of "will" and "shall". It is their opinion that the EA Committee is simply presenting a draft policy for council to consider and once council has adopted a policy, it is the policy of council and essentially it operates as a directive to city staff. It is not the committee telling council what to do, but rather council setting policy for future city activity, see attached.

I recommend that the attached amended Environmental Policy be accepted in the Corporation of the City of Kenora Policy Manual.

Budget: N/A

Communication Plan/Notice By-law Requirements:

Resolution & By-law required.

Distribution: R. Perchuk, M. Mostow, Environmental Advisory Committee members